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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/657,758   | 09/08/2003  | Dan G. Priem         | 1094.204US1         | 1171             |
| 21186  | 7590        | 06/13/2005           | EXAMINER            |                  |
| SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.<br>P.O. BOX 2938<br>MINNEAPOLIS, MN 55402-0938 |             |                      | GONZALEZ, JULIO C   |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2834                |                  |

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/657,758

Applicant(s)

PRIEM, DAN G.

Examiner

Julio C. Gonzalez

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2005.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-35 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 08 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 0905  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-19, 35, drawn to system having an actuating system, classified in class 290, subclass 1A.
- II. Claims 20-34, drawn to method of detecting a fault condition, classified in class 322, subclass 20.

2. Applicant's election with traverse of Group I in the reply filed on 04/27/05 is acknowledged. The traversal is on the ground(s) that both groups are similar. This is found persuasive because due to the newly amendment done to claim 20 submitted on 04/27/05, such claim now encompass the same scope as in claim 1 in Group I. This Office Action will take into consideration claims 1-35.

### ***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the reluctance sensor disclosed in claim 10; rpm sensor disclosed in claim 12; ignition key position sensor disclosed in claim 13; carbon monoxide sensor disclosed in

claim 15; a vehicle coupled to the AC generator as disclosed in claim 17; recreational vehicle coupled to the AC generator as disclosed in claim 18 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 5, 7, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reuyl (US 4,182,960) in view of James et al (US 5,333,703).

Reuyl discloses an actuator 46 for starting a generator 26” and a logic circuit 48 coupled to sensor 64 and actuator 46 (see figure 1).

However, Reuyl does not disclose detecting a fault condition base on exhaust hazard.

On the other hand, James et al teaches that it is well known for the purpose of monitoring efficiently carbon monoxide levels, a sensor circuit for detecting a risk of exhaust hazard and disabling a device when a risk of exhaust hazard is present (column 5, lines 11-14). Moreover, a transmission position detector is disclosed (column 11, lines 45-50).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design a system as disclosed by Reuyl and to use the

teachings of James et al for the purpose of monitoring efficiently carbon monoxide levels to disable a device if there is a risk of exhaust hazard.

6. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reuyl and James et al as applied to claim 1 above, and further in view of Ulinski et al (US 6,700,214).

The combined system discloses all of the elements above. However, the combined system does not disclose explicitly having an automatic circuit with a load sensor.

On the other hand, Ulinski et al discloses for the purpose of providing efficiently high power, load sensors 224, 234, which are used for indicating a need for power from the generator (column 7, line 64 – column 8, line 9; column 8, lines 8-11; column 8, line 65 – column 9, line 6).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design the combined system as disclosed above and to modify the invention by using load sensors for the purpose of providing efficiently high power as disclosed by Ulinski et al.

7. Claims 9, 13, 23, 26, 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reuyl and James et al as applied to claims 1 and 20 above, and further in view of Ito et al (US 5,276,624).

The combined system discloses all of the elements above. However, the combined system does not disclose explicitly having a wheel detector sensor.

On the other hand, Ito et al discloses for the purpose of eliminating speed changing shocks, wheel rotation sensors 66a, 66b.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design the combined system as disclosed above and to modify the invention by using wheel detector sensors for the purpose of eliminating speed changing shocks as disclosed by Ito et al.

8. Claims 8, 11, 12, 14, 15, 22, 25, 27, 30, 31, 32, 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reuyl and James et al and Ito et al as applied to claims 1, 20, 23, 28 above, and further in view of Riedel (US 5,954,040).

The combined system discloses all of the elements above. However, the combined system does not disclose explicitly having an engine sensor, rpm sensor and exhaust sensor.

On the other hand, Riedel discloses for the purpose of controlling more efficiently an engine, an engine operation sensor, rpm sensor 110, exhaust sensor 155, 145.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design the combined system as disclosed above and to modify the invention by using several sensors for the purpose of controlling more efficiently an engine as disclosed by Riedel.

9. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Reuyl and James et al as applied to claim 1 above, and further in view of Graber et al (US 6,534,958).

The combined system discloses all of the elements above. However, the combined system does not disclose explicitly having a spark-ignited generator.

On the other hand, Graber et al discloses for the purpose of maintaining a constant output power regardless of operation conditions a spark-ignited generator (see figures 9, 10).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design the combined system as disclosed above and to modify the invention by using a spark-ignited generator discloses for the purpose



of maintaining a constant output power regardless of operation conditions as disclosed by Graber et al.

10. Claims 10 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reuyl and James et al and Ito et al as applied to claims 1 and 23 above, and further in view of Duke et al (US 5,432,413).

The combined system discloses all of the elements above. However, the combined system does not disclose using a reluctance sensor.

On the other hand, Duke et al discloses for the purpose of conserving fuel efficiently that reluctance sensors are widely used in vehicles that sensor 56 is a reluctance sensor.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design the combined system as disclosed above and to modify the invention by using a reluctance sensor for the purpose of conserving fuel efficiently as disclosed by Duke et al.

11. Claims 6, 16, 17, 18, 19 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reuyl and James et al as applied to claim 1 above, and further in view of Kawaguchi et al (US 4,961,403).

The combined system discloses all of the elements above. However, the combined system does not disclose explicitly coupling a generator to a recreational vehicle.

On the other hand, Kawaguchi et al discloses for the purpose of reducing engine and generator vibration, coupling a generator 20 to a recreational vehicle 12 (see figure 2).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design the combined system as disclosed above and to modify the invention by coupling a generator to a recreational vehicle for the purpose of reducing engine and generator vibration as disclosed by Kawaguchi et al.

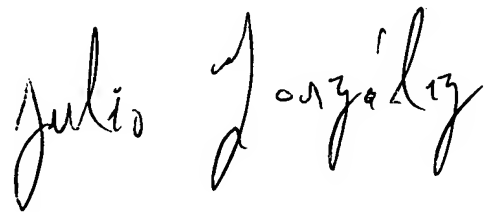
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julio C. Gonzalez whose telephone number is 571-272-2024. The examiner can normally be reached on M-F (8AM-5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, reading "Julio Gonzalez". The signature is written in a cursive, flowing style.

Julio C. Gonzalez  
Examiner  
Art Unit 2834

Jcg

June 9, 2005